



<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/936,723
		Filing Date	March 1, 2002
		First Named Inventor	Martin CALDWELL
		Group Art Unit	3731
		Examiner Name	Jessica R. Baxter
Total Number of Pages in This Submission	5	Attorney Docket Number	741890-0019

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
Remarks <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	<u>Tim L. Brackett, Jr., Reg. No. 36,092</u> Nixon Peabody LLP 401 9th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	
Date	December 20, 2004

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Attorney Docket No. 741890-0019

RESPONSE UNDER 37 CFR 1.116 - EXPEDITED  
PROCEDURE - EXAMINING GROUP 3700

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of	)
Martin CALDWELL et al.	) Confirmation No.: 1585
Application No. 09/936,723	) Group Art Unit: 3731
Filed: March 1, 2002	) Examiner: Jessica R. Baxter
Confirmation No. 1585	)
For: A SURGICAL ACCESS DEVICE	)

AMENDMENT AFTER FINAL

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment is in response to the final Office Action dated April 19, 2004, in connection with the above-identified patent application. In response and in accordance with Rule 1.116 of the Rules of Practice, please consider the following amendments and remarks for the purpose of allowance, or in the alternative, to narrow the issues on Appeal.

Please consider the following amendments and remarks.